

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MUNEER AWAD, ADAM SOLTANI,)	
IMAD ENCHASSI, DOUGLAS MOCK,)	
PATRICIA SCHWAGMEYER,)	
)	
Plaintiffs,)	No. CIV-2010-1186-M
)	
-vs-)	
)	
PAUL ZIRIAX, Secretary; STEVE)	
CURRY, Chairman; TOM)	
MONTGOMERY, DIANE SPURLOCK,)	
members of the Oklahoma State Election)	
Board,)	
)	
Defendants.)	

**PLAINTIFFS AWAD, SOLTANI, ENCHASSI,
MOCK, AND SCHWAGMEYER IN SUPPORT OF THEIR
MOTION FOR SUMMARY JUDGMENT**

Plaintiffs Muneer Awad, Adam Soltani, Imad Enchassi, Douglas Mock, and Patricia Schwagmeyer come before the Court pursuant to Fed.Rul.Civ.Pro. 56 and move for summary judgment in their favor and against all Defendants for the reason that the uncontroverted statement of material facts submitted shows that there is no genuine issue as to any material fact and that Plaintiffs, as moving parties, are entitled to judgment as a matter of law.

When the evidence is viewed in the light most favorable to the opposing party, Plaintiffs are entitled to judgment in their favor that State Question 755 is unconstitutional and violates the following provisions of the United States Constitution: The Establishment Clause of the First Amendment; the Supremacy Clause, Art. VI, Section 1, Cl. 2 of the

United States Constitution; the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment.

This Court should enter a permanent injunction forbidding the Defendant Election Board Members from certification of the election for State Question 755 so as to otherwise prevent it from becoming part of the Oklahoma Constitution.

Plaintiffs further request this Court grant them such relief as to which they are entitled under Fed.Rul.Civ.Pro 54(b), whether such relief was sought at the time of the filing of the Complaint.

In support of this Motion, Plaintiffs submit the accompanying Brief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MICHAEL SALEM', is written over a horizontal line. To the right of the signature, the text 'Facsimile Signature' is printed in a small font.

SIGNATURE OF COUNSEL

MICHAEL SALEM OBA #7876
Salem Law Offices
101 East Gray, Suite C
Norman, Oklahoma 73069-7257
(405) 366-1234
Email: msalem@msalemlaw.com

ATTORNEYS FOR PLAINTIFFS AWAD, SOLTANI,
ENCHASSI, MOCK, AND SCHWAGMEYER

CERTIFICATE OF SERVICE

I hereby certify that on the 8TH day of FEBRUARY, 2013, I electronically transmitted this document to the Clerk of the United States District Court for the Western District of Oklahoma using the ECF System for filing and transmittal of notice of electronic filing to the following ECF registrants:

Patrick Wyrick

Solicitor General

Oklahoma Office of the Attorney General



Facsimile Signature

MICHEAL SALEM